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January 23, 2009

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, NW
Suite TW-A325
Washington, DC 20554

ORIGINAL
FILED/ACCEPTED
JAN 23 2009
Federal Communications Commission
Office of the Secretary

**Re: EB Docket No. 06-36
Section 64.2009(e) CPNI Certification
Velocity Telephone, Inc. (Form 499-A Filer ID No. 824646)**

Dear Ms. Dortch:

Pursuant to the Commission's Public Notice, DA 09-9, released January 7, 2009, attached for filing is the Section 64.2009(e) Customer Proprietary Network Information certification on behalf of Velocity Telephone, Inc. (Form 499-A Filer ID No. 824646).

Please contact the undersigned should you have any questions or require additional information.

Respectfully submitted,



Thomas J. Moorman

Attachments

cc: R. Somers, Enforcement Bureau, FCC
Best Copy & Printing, Inc.

No. of Copies rec'd 249
List ABCDE

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2008

Date filed: January 22, 2009

Name of company(s) covered by this certification: Velocity Telephone, Inc.

Form 499 Filer ID: 824646

Name of signatory: James A. Hickie

Title of signatory: President

ORIGINAL

I, James A. Hickie, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See* 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year. Companies must report on any information that they have with respect to the processes pretexters are using to attempt to access CPNI, and what steps companies are taking to protect CPNI.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI (number of customer complaints a company has received related to unauthorized access to CPNI, or unauthorized disclosure of CPNI, broken down by category or complaint, *e.g.*, instances of improper access by employees, instances of improper disclosure to individuals not authorized to receive the information, or instances of improper access to online information by individuals not authorized to view the information).

Signed



Velocity Telephone, Inc. – Statement of CPNI Compliance

Our company accesses and uses a customer's CPNI to market our own (or our affiliates') communication-related services (outside a customer's current relationship) only after the customer's Opt-Out consent has been obtained in compliance with FCC Rule 64.2009(e), and which consent has not been revoked by the customer. Every two years our company (a) provides notice of customers' rights to restrict use and disclosure of, and access to, their CPNI, in compliance with FCC Rule 64.2009(e), and (b) solicits Opt Out consent for the use of the customer CPNI, in compliance with FCC Rule 64.2009(e), to each customer who has given Opt Out consent.

Our company maintains a record of our own and our affiliates' sales and marketing campaigns that use customer CPNI. We also do not disclose or provide CPNI to third parties, or allow third parties access to CPNI.

CPNI Safeguards

Our company has designated a compliance officer to maintain and secure the company's CPNI records and to supervise training of all company employees.

Our company trains its personnel as to when they are, and are not, authorized to use or disclose CPNI, and we have an express disciplinary process in place if the rules are violated.

Our company authenticates the identity of a customer prior to disclosing CPNI based on a customer-initiated telephone contact, online account access, or in-store visit.

Our company discloses call detail information (CDI) in a customer-initiated call only: after the customer provides a pre-established password; or, at the customer's request, by sending the CDI to the customer's address of record; or by calling back the customer at his or her telephone number of record.

Our company establishes passwords with customers in order to authenticate customers. Neither passwords nor the backup method for authentication rely on customers' readily available biographical information.

Our company has established password protection for customers' online accounts.

Our company includes terms specifying the confidentiality and use of CPNI in its contracts with business customers that are served by a dedicated account representative.

Our company trains its personnel as to when they are, and are not, authorized to use CPNI, and we have an express disciplinary process in place if the rules are violated up to and including immediate termination.

CPNI Recordkeeping and Reporting

Our company maintains records of our compliance with the FCC's CPNI Rules for use of CPNI in outbound marketing efforts, for at least one year.

Our company is prepared to provide the FCC with written notice, within five business days of any instance where the "opt out" mechanisms do not work properly.

Our company is prepared to notify the U.S. Secret Service and FBI within seven business days after the occurrence of an intentional, unauthorized (or exceeding authorization), access to, use of, or disclosure of CPNI. We may also notify the customer of such breach, after consulting with the investigatory agency(ies), if we believe there is an extraordinarily urgent need to notify a customer (or class of customers) in order to avoid immediate or irreparable harm. We will notify the customer of the breach after 7 business days following notification to the FBI and Secret Service, if such agencies have not requested that we postpone disclosure to the customer.

Our company will maintain records of any discovered breaches, notices to the Secret Service and FBI, and their responses, for at least two years.

James A. Hickie, President
Velocity Telephone, Inc.



Velocity Telephone – Customer Proprietary Network Information (CPNI)

Velocity Telephone is committed to protecting your personal information. Velocity Telephone will **NOT** share your information with any third party. Velocity Telephone assumes we have your consent to utilize your account information for marketing purposes of Velocity Telephone and its wholly owned affiliates products and services. Velocity Telephone gives its customers the opportunity to provide Opt-out approval at anytime by submitting an Opt-out approval request via email, recorded voicemail, fax or mail. This request maybe sent to:

Email: opt-out@velocitytelephone.com

Recorded Voicemail: (763) 444-2424

Fax: (763) 444-2425

Mail: Velocity Telephone, Inc – CPNI Opt-out
4050 Olson Memorial Hwy, Suite 100
Golden Valley, MN 55422

Jim Hickle
President
Velocity Telephone, Inc.



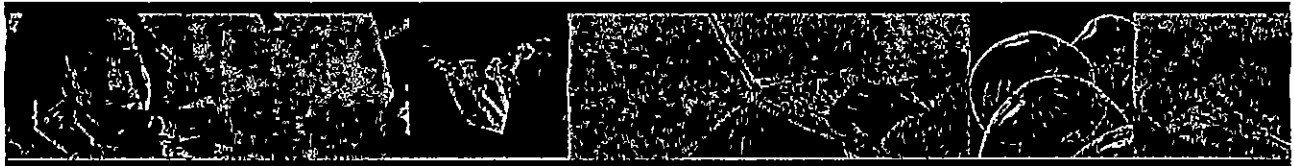
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Velocity Telephone, Inc. is a US Family Company



**Velocity Telephone –
Customer Proprietary Network Information (CPNI)
Employee Compliance Form**

Velocity Telephone is committed to protecting the personal information of all of our customers in compliance with the rules and procedures established by the Federal Communications Commission (FCC) concerning Customer Proprietary Network Information (CPNI) as set forth in Part 64, Subpart U, of the FCC's Rules and Regulations, 47 C.F.R. § 64.2009(e) *et seq.*, as revised.

As an employee of Velocity Telephone, Inc. or one of its affiliate companies, it is your responsibility to use all Customer Proprietary Network Information (CPNI) properly. As an employee you will **NOT** share this information with any third party, utilize the information for Marketing purposes, disclose, use, or disseminate any of Customer Proprietary Network Information (CPNI) to anyone without prior approval from the President of Velocity Telephone. Any violation of this policy is subject to a disciplinary process up to and including immediate termination.

Jim Hickle
President
Velocity Telephone, Inc.

Employee Acknowledgement:

Signature: _____

Printed Name: _____

Date: _____



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